

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTOPHER FINITZ, et al.,

Plaintiff,

v.

JOHN R. O'ROURKE, et al.,

Defendants.

Case No: 1:18-cv-09640-JPC

CLASS ACTION

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), plaintiffs Christopher Finitz, Kyle Irvine, and Todd Smith (together, “Plaintiffs”) hereby voluntarily dismiss the claims in the above-captioned action (the “Action”) against all defendants without prejudice. Because this notice of dismissal is being filed with the Court before service by defendants of either an answer or a motion for summary judgment, Plaintiffs’ dismissal of the Action is effective upon filing of this notice. Neither Plaintiffs nor Plaintiffs’ counsel has received or will receive directly or indirectly any consideration for this dismissal.

DATED: October 6, 2023

Respectfully submitted,

BRAGAR EAGEL & SQUIRE, P.C.

By: /s/ Melissa A. Fortunato
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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I, Melissa A. Fortunato, hereby certify that this document was filed through the CM/ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing on this 6th day of October, 2023.

/s/ *Melissa A. Fortunato*

Melissa A. Fortunato